

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BLACKWATER SECURITY CONSULTING,
LLC, a Delaware Limited Liability Company; and
BLACKWATER LODGE AND TRAINING
CENTER, INC., a Delaware Corporation,

Plaintiffs,

v.

WESTCHESTER SURPLUS LINES INSURANCE
COMPANY, a Georgia Corporation; EVANSTON
INSURANCE COMPANY, an Illinois Corporation;
FIDELITY AND CASUALTY COMPANY OF
NEW YORK, a South Carolina Corporation; and
LIBERTY INSURANCE UNDERWRITERS, a
Massachusetts Corporation,

Defendants.

CIVIL ACTION

NO. 05-6020 (PBT)

Hon. Petrese B. Tucker

**DECLARATION OF ERIC D. FREED
PURSUANT TO 28 U.S.C. § 1746**

ERIC D. FREED does hereby declare and state:

1. I am one of the attorneys of record for defendant Westchester Surplus Lines Insurance Company ("WSLIC") in the above-captioned action and am admitted to practice law before the courts of the United States District Court for the Eastern District of Pennsylvania.

2. I make the within Declaration in support of WSLIC's motion for leave to file a supplemental memorandum of law and proposed written discovery.

3. Attached hereto as Exhibit "A" is a true and correct copy of a January 18, 2008 letter written to your Declarant by Carol C. Carty, counsel of record for Plaintiffs in the above-captioned action.

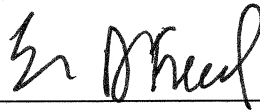
4. Attached hereto as Exhibit "B" is a true and correct copy of a memorandum of law, dated February 21, 2005, entitled "Plaintiff's Memorandum of Law in Opposition to the Blackwater Defendants' Motion to Dismiss", filed by or on behalf of Richard P. Nordan in an

action entitled *Richard P. Nordan, plaintiff, v. Blackwater Security Consulting, LLC, et al., defendants*, U.S.D.C., Eastern District of North Carolina (Western Div.), No. 5:05-CV-48 FL (1).

5. Attached hereto as Exhibit "C" is a true and correct copy of a memorandum of law, dated January 31, 2005, entitled "Memorandum of Law of Blackwater Security Consulting, LLC and Blackwater Lodge and Training Center, Inc., in Support of Their Motion to Dismiss", filed by or on behalf of Blackwater Security Consulting, LLC and Blackwater Lodge and Training Center, Inc. in an action entitled *Richard P. Nordan, plaintiff, v. Blackwater Security Consulting, LLC, et al., defendants*, U.S.D.C., Eastern District of North Carolina (Western Div.), No. 5:05-CV-48-FL(1).

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 7th day of March, 2008.



Eric D. Freed